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Attorneys for Plaintiffs, Frank Krause and William Martin  
PPGM&S File No. 4341.00001

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY**

FRANK KRAUSE AND  
WILLIAM MARTIN,

Plaintiffs,

**VS.**

MANALAPAN TOWNSHIP,

Defendant.

Civil Action No.: 3:09-cv-02871 (TAB) (JAP)

**NOTICE OF MOTION FOR**  
**SUMMARY JUDGMENT**

***Document electronically filed***

**TO:**

*Clerk*  
United States District Court  
District of New Jersey  
Clarkson S. Fisher Building &  
U.S. Courthouse  
402 East State Street, Room 2020  
Trenton, New Jersey 08608

John F. Gelson, Esq.  
McLaughlin, Gelson, D'Apolito &  
Stauffer, LLC  
Monmouth Shores corporate Park  
1305 Campus Parkway, Suite 200  
Wall Township, New Jersey 07753  
*Attorneys for Defendant*

**PLEASE TAKE NOTICE THAT** on February 22, 2011 or as soon thereafter as counsel may be heard, plaintiffs Frank Krause and William Martin, shall move before the Honorable Joel A. Pisano, U.S.D.J., United States District

Court, District of New Jersey, U.S. Post Office Building, Courtroom 1, 402 East State Street, Trenton, New Jersey, for an order granting summary judgment pursuant to Rule 56 of the Federal Rules of Civil Procedure.

**PLEASE TAKE FURTHER NOTICE** that plaintiffs shall rely upon the following pleadings submitted herewith:

1. Statement of Undisputed Facts;
2. Certification of Holly English, Esq. with Exhibits A-N;
3. Affidavit of William Martin;
4. Affidavit of Frank Krause;
5. Brief in Support of Motion for Summary Judgment.

A proposed form of an order is enclosed herewith.

**PLEASE TAKE FURTHER NOTICE** that plaintiffs request oral argument.

Dated: January 28, 2011

/s/ Frederick B. Polak  
Frederick B. Polak, Esq.  
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